

ORDINANCE 2012-11

AN ORDINANCE OF THE MONTGOMERY COUNTY BOARD OF
COMMISSIONERS VACATING A PORTION OF COUNTY ROAD 550 SOUTH

WHEREAS, on July 5, 2012, William Neal Miles and Lori Lyn Miles filed with the Board their Petition to Vacate a portion of County Road 550 South in Montgomery County;

AND WHEREAS, the County Auditor mailed notice of this petition and public hearing to all persons owning real estate which abuts the portion of County Road 550 South requested to be vacated;

AND WHEREAS, the County Auditor also caused notice of a public hearing to be published in accordance with Indiana law;

AND WHEREAS, the Board conducted a public hearing on the petition on September 10, 2012:

AND WHEREAS, having considered the petition and evidence heard at the public hearing, the Board of Commissioners now finds as follows:

1. The petitioners are the owners of land along the proposed portion of road to be vacated, and, therefore, have an interest in land adjacent to the County Road to be vacated;

2. The road is not used significantly by the public and could be converted into private use, if vacated;
3. Vacation of this County Road will not:
 - a. hinder the growth and orderly development in the area;
 - b. make access to the lands of the area difficult or inconvenient;
 - c. hinder the public's access to a church, school, or other public building; or
 - d. hinder the use of the road by a neighborhood in which it is located or contiguous;
4. All persons required by law have been notified of these proceedings, and no owner has filed an objection to the vacation;
5. A portion of County Road 550 South, beginning at a point on which the County Road traverses parcel 14 east of the Miles' residence located at 8253 West, County Road 550 South, and ending at the east boundary of the Miles' property, should be vacated.

IT IS, THEREFORE, ORDAINED that a portion of County Road 550 South, beginning at a point at which the County Road traverses parcel 14 east of the Miles'

residence located at 8253 West, County Road 550 South, and ending at the east boundary of the Miles' property, is hereby vacated.

IT IS FURTHER ORDAINED that the Auditor shall enter this ordinance on her records for purposes of taxation and deliver the ordinance to the County Recorder for recording.

Montgomery County Board of Commissioners

Adopted:

Spt 24 2012

Phil Bane
Phil Bane, President

Terry Hockersmith
Terry Hockersmith, Vice President

James D. Fulwider
James D. Fulwider, Member

Attest:

Michelle Cash
Michelle Cash, Auditor

I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

Daniel L. Taylor

Prepared by Daniel L. Taylor, attorney at law, Indiana Supreme Court #11337-54, 105 North Washington Street, Crawfordsville, Indiana 47933. Telephone: 765-361-9680.